

NAVI DHILLON (SBN 279537)
navidhillon@paulhastings.com
DEBORAH SCHMALL (SBN 112052)
deborahschmall@paulhastings.com
LUCAS GRUNBAUM (SBN 314180)
lucasgrunbaum@paulhastings.com
PAUL HASTINGS LLP
101 California Street, 48th Floor
San Francisco, California 94111
Telephone: (415) 856-7000

HARIKLIA KARIS (*admitted pro hac vice*)
hkaris@kirkland.com
ROBERT B. ELLIS (*admitted pro hac vice*)
rellis@kirkland.com
MARK J. NOMEILLINI (*admitted pro hac vice*)
mnomellini@kirkland.com
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
Telephone: (312) 862-2000

Attorneys for Defendant
PACIFIC BELL TELEPHONE COMPANY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

v.

PACIFIC BELL TELEPHONE
COMPANY,

Defendant.

CASE NO. 2:21-CV-00073-JDP

**UPDATE TO UNOPPOSED REQUEST FOR
AUTHORIZATION OF SUBSTITUTE
SERVICE OF PROCESS**

1 Defendant Pacific Bell Telephone Company (Pacific Bell) respectfully submits this update to
2 its unopposed request made on August 30, 2023, for an order authorizing substitute service of a
3 *subpoena duces tecum* upon Monique Rydel Fortner (Fortner) and Seth Jones (Jones). ECF No. 63.
4 As detailed in its unopposed request, Pacific Bell seeks an order because both Fortner and Jones are
5 non-parties with highly relevant evidence, but had been evading service of process since Pacific Bell
6 issued subpoenas to them on August 4. To support its request, Pacific Bell filed two declarations.
7 ECF Nos. 63-1, 63-6.

8 On September 6, 2023, Pacific Bell effected service on Jones, and therefore an order
9 authorizing substitute service on Jones is no longer needed. However, Fortner continues to evade
10 service. Before filing its original request for special service on August 30, Pacific Bell attempted to
11 serve Fortner no less than eight times, without success. *See* ECF No. 63 at 3. Pacific Bell has
12 continued its unsuccessful attempts at serving Fortner since that filing.

13 Under the circumstances, Pacific Bell asks that the Court grant its unopposed request as to
14 Fortner. A revised proposed order has been submitted for the Court's consideration.

15 Respectfully submitted,

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17 Dated: September 11, 2023

KIRKLAND & ELLIS LLP

18 By: /s/ Hariklia Karis
19 HARIKLIA KARIS (*admitted pro hac vice*)

20 Attorney for Defendant
21 PACIFIC BELL TELEPHONE COMPANY
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